

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SERGIO KHOROSH and  
VERA KHOROUSH,

Plaintiffs, : 08 Civ. 543 (AKH)  
Notice of Motion To Dismiss

V.

U.S. CUSTOMS AND BORDER  
PROTECTION,

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Defendant. : :

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Motion to Dismiss, the United States Customs and Border Protection, by and through its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, Sharon E. Frase, Assistant United States Attorney, of counsel, hereby moves before the Honorable Alvin K. Hellerstein, United States District Judge, to dismiss the above-captioned complaint.

Dated: New York, New York  
April 8, 2008

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
United States of America

Bv:

Sharon E. Frase (SEF-4906)  
Assistant United States Attorney  
One St. Andrews Plaza  
New York, New York 10007  
Tel: (212) 637-2329  
Fax: (212) 637-0421

To :

Sam Braverman, Esq.  
Law Office of Sam Braverman  
901 Sheridan Avenue, Suite 201  
Bronx, New York 10451  
(718) 293-1977

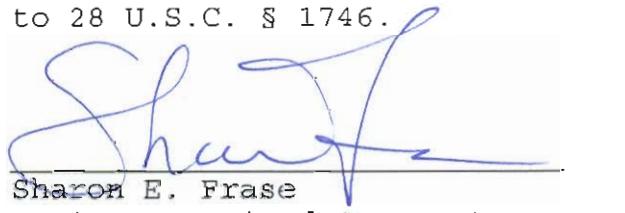
CERTIFICATE OF SERVICE

I, Sharon E. Frase, depose and say that I am employed in the Office of the United States Attorney for the Southern District of New York.

That on April 8, 2008, I served one copy of the within Notice of Motion To Dismiss and supporting Memorandum of Law, by email and Federal Express to:

Sam Braverman, Esq.  
Law Office of Sam Braverman  
901 Sheridan Avenue, Suite 201  
Bronx, New York 10451  
(718) 293-1977

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.



Sharon E. Frase  
Assistant United States Attorney  
Tel: (212) 637-2329

Dated: New York, New York  
April 8, 2008